

## **EXHIBIT 1**

**NOTICE UNDER MECHANIC'S LIEN LAW**

To the Clerk of the County of Suffolk and all others whom it may concern:

**PLEASE TAKE NOTICE**, that, upon information and belief, Federal Heath Sign Co, LLC, as lienor, has and claims a lien on the real property hereinafter described as follows:

(1) The name and residence of the lienor is Federal Heath Sign Co., LLC, being a limited liability company, whose business address and principal place of business is at 2300 North Highway 121, Euless, Texas 76039

(1a) The name and address of lienor's attorney is Richard R. Volack, Esq., Peckar & Abramson, P.C., 1325 Avenue of the Americas, 10<sup>th</sup> floor, New York, New York 10019.

(2) The owner of the real property is, upon information and belief: (i) Fee Interest - MLO Great South Bay, LLC ; Montauk Shopping Center Associates; Great South Bay Associates; and (ii) Leasehold Interest - Bed Bath and Beyond, Inc., 650 Liberty Avenue, Union, New Jersey 07083.

(3) The name of the person by whom the lienor was employed is: Bed Bath and Beyond, Inc.

The name of the person to whom the lienor furnished or is to furnish materials or for whom the lienor performed or is to perform professional services is: Bed Bath and Beyond, Inc.

The name of the person with whom the contract was made is: Bed Bath and Beyond, Inc.

(4) The labor performed was all labor necessary to install pre-manufactured commercial signage for a commercial store

The material furnished was all material necessary to fabricate requested commercial signage for a commercial store

The agreed price or value of the labor performed and material furnished is: \$36,472.18

(5) The amount unpaid to the lienor for said labor performed and material furnished is: \$36,472.18

Total amount unpaid: \$36,472.18

The total amount claimed for which this lien is filed is: \$36,472.18

(6) The time when the first item of work was performed and  
the time when the first item of material was furnished was: April 5, 2021  
The time when the last item of work was performed and  
the time when the last item of material was furnished was: May 11, 2022



- (7) The property subject to the lien is situated in the County of Suffolk, City of West Babylon and State of New York, and is known as Bed Bath and Beyond, (Store #843), 825 West Montauk Highway, West Babylon, New York 11704; and also known as the following tax lots:

District	Section	Block	Lot
100	222	1	1.001
100	222	1	1.002
103	16	4	74.1
103	20	3	52.001
103	20	3	52.002
103	20	3	52.003

That said labor and materials were performed and furnished for and used, and that the professional services rendered were used in the improvement of the real property hereinbefore described. That 8 months have not elapsed dating from the last item of work performed, or from the last items of materials furnished, or since the completion of the contract, or since the final performance of the work, or since the final furnishing of the materials for which this lien is claimed.

Federal Heath Sign Co, LLC



Dated: 1/9/2023

By: Richard R. Volack, Esq.

Title: Attorney and Authorized Agent for Lienor

**VERIFICATION**

STATE OF NEW YORK       }  
                                      } ss.:  
COUNTY OF NEW YORK    }

Richard R. Volack, being duly sworn, deposes and says:

I am the attorney and authorized agent for lienor, Federal Heath Sign Co, LLC, the Limited Liability Company mentioned in the foregoing Notice Under Mechanic's Lien Law.

I have read the foregoing Notice Under Mechanic's Lien Law and know its contents and the same are true to my knowledge, except as to matters herein alleged on information and belief, and as to those matters, I believe them to be true.

This verification is made by the undersigned because the Lienor named herein is not located in the County in which I maintain my office.

The source of my information and grounds for my belief as to all matters in the foregoing Notice Under Mechanic's Lien Law are my conversations with representatives of Lienor and a review of relevant documents.

  
Richard R. Volack, Esq.

Sworn to before me  
this 9<sup>th</sup> day of January 2023

  
Notary Public

YVONNE HARRIS  
Notary Public, State of New York  
No. 01HA6313782  
Qualified in Nassau County  
Term Expires 10/31/2026

**Affidavit of Service by Certified Mail**

STATE OF NEW YORK }  
 }  
COUNTY OF NEW YORK }

The undersigned, being duly sworn, deposes and says that deponent is over 18 years of age and resides in the County of Nassau, NY and that:

On or about the 10<sup>th</sup> day of January 2023, the undersigned served the within Notice of Mechanic's Lien on:

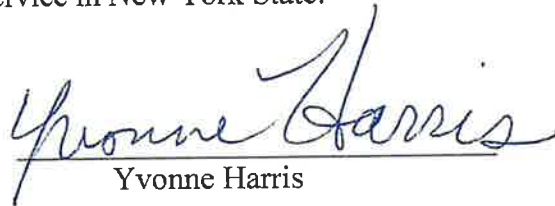
**MLO Great South Bay, LLC  
600 Madison Avenue, Suite 14  
New York, New York 10022**

**Montauk Shopping Center Associates  
c/o Mall Properties, Inc.  
654 Madison Avenue  
New York, New York 10021**

**Great South Bay Associates  
c/o Mall Properties, Inc.  
654 Madison Avenue  
New York, New York 10021**

**Bed Bath and Beyond, Inc.  
650 Liberty Avenue  
Union, New Jersey 07083**

by depositing a true copy of same, enclosed in a certified mail, postpaid, properly addressed wrapper, in an official depository of the United States Postal Service in New York State.

  
Yvonne Harris

Sworn to me before this 10<sup>th</sup> day  
of January 2023

  
NOTARY PUBLIC

DENISE M. PANDULLO  
Notary Public, State of New York  
No. 01PA6232507  
Qualified in Nassau County  
Commission Expires 12/13/2018

FILED

JAN 10 2023

CLERK OF SUPREME COURT